

IN THE UNITED STATES DISTRICT COURT

FILED

FOR THE NORTHERN DISTRICT OF CA (San Jose Division) **2008 SEP 2 P 3:29**

Case CV-08-03924 -RS (US District Judge Richard Seeborg)

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

MC
THERESA BRADLEY

Plaintiff

V.

PAY PAL, INC.

Defendant

PLAINTIFF'S NOTIFICATION OF

FILING DEFENDANT'S SIGNED WAIVER OF SERVICE OF SUMMONS

Plaintiff, Theresa Bradley, Pro Se, hereby files the Defendant's signed Waiver of Service of Summons with the Court – See Exhibit A. The Court has entered its Order for the US Marshal to serve Summons and Complaint upon the Defendant, Pay Pal, Inc. It is within the Court's discretion to accept the signed Waiver of Summons submitted herein.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent this 29th day of August, 2008 by eMail vcastelo@cooley.com to the Defendant's Legal Counsel:

Valerie Castelo , Associate
Cooley Godward Kronish LLP
Five Palo Alto Square • 3000 El Camino Real
Palo Alto, CA 94306-2155



Theresa Bradley

Theresa Bradley, Pro Se

Plaintiff

Box 8542 Columbus, GA 31908

Mobile 561-676-2989 Phone: 706-563-7952

eMail bravacorp1@yahoo.com

UNITED STATES DISTRICT COURT

for the
NORTHERN DISTRICT OF CALIFORNIADR. THERESA BRADLEY, PSY.D/JD

Plaintiff

v.

PAYPAL, INC.

Defendant

Civil Action No.

C08-03924-RS

Waiver of the Service of Summons

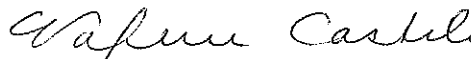
To: Dr. Theresa Bradley, Pro Se*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from August 12, 2008, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date August 27, 2008

Signature of the attorney or unrepresented party

Valerie Castelo

Printed name

Cooley Godward Kronish LLP
Five Palo Alto Square 3000 El Camino Real
Palo Alto, CA 94306-2155

Address

vcastelo@cooley.com

E-mail address

(650) 843-5000

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.